



The Columbia City Council conducted a Council Meeting on Tuesday, December 15, 2015 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:09 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Leona K. Plough, The Honorable Brian DeQuincey Newman and The Honorable Moe Baddourah. The Honorable Cameron A. Runyan was absent. Also present were Ms. Teresa Wilson, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the Freedom of Information Act.

PLEDGE OF ALLEGIANCE

Little Miss Brandy Herbert led the audience in the Pledge of Allegiance.

INVOCATION

Fire Chief Aubrey Jenkins, Columbia Fire Department offered the Invocation.

******Councilor Plough thanked Councilman Brian DeQuincey Newman and Councilman Cameron Runyan for their service to the City of Columbia. She acknowledged that their terms will end on December 31, 2015. She said she is delighted to have had the opportunity to serve with them.

ADOPTION OF THE AGENDA

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to adopt the agenda, subject to removing **Item 17** from the Consent Agenda and adding the discussion of the selection process for underwriters as noticed for Executive Session.

******Mayor Benjamin thanked Little Miss Brandy Herbert for leading the audience in the Pledge of Allegiance. He said it is great to have the wonderful young people here from Richland Northeast High School.

Dr. Sabrina Suber, Principal of Richland Northeast High School thanked City Council for the opportunity to perform. She noted that the school has 1,450 great students. She introduced the Richland Northeast Concert Band.

The Richland Northeast Concert Band directed by Mr. Roderick Henderson rendered several holiday selections for the audience prior to the Council Meeting and rendered a holiday selection for the audience during the meeting.

PUBLIC INPUT RELATED TO AGENDA ITEMS

Mr. Eddie Weaver, President of Weaver Systems, Inc. appeared before City Council on behalf of the South Carolina Electronic Security Association to express concerns about the proposed fire alarm ordinance. He said they are concerned with the fines after the second false alarm; there is no response from the police department after the fifth false alarm; and there is not an appeals process. He presented a proposed model ordinance that was drafted by the South Carolina Police Chiefs Association and the South Carolina Electronic Security Association. He said the proposed ordinance graduates the fines; provides a clause that allows the consumer to receive training in lieu of a fine; and it provides an appeals process.

CONSENT AGENDA

Upon a single motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to approve the **Consent Agenda Items 1 through 16 and 18.**

CONSIDERATION OF BIDS and AGREEMENTS

1. Council is asked to approve [Project SS7364](#); Construction and Relocation of Sanitary Sewer Mains, New Manholes, Erosion Control and Site Restoration along Jackson Boulevard and I-77, as requested by the Utilities and Engineering Department. Award to D.S. Utilities, Inc., the lowest responsive bidder in the amount of \$176,620.00. This firm is located in Little Mountain, SC. *Funding and Supplement Source: Sanitary Sewer Improvement Fund, 5529999-SS736401-658650 – Note: The budgeted amount for this project is \$220,036.00. - Approved*
2. Council is asked to approve a [Contract Extension for the Purchase of Magnesium Hydroxide through January 31, 2016](#), as requested by the Metro Wastewater Treatment Plant. Award to Premier Magnesia, LLC in the amount of \$199,368.00. This firm is located in West Conshohocken, PA. *Funding Source: Utilities Metro Wastewater Plant/Chemicals, 551620-624800 – Note: The original budgeted amount is \$200,000.00. - Approved*
3. Council is asked to approve [Projects SS7341 and SS7371](#); Construction of Sanitary Sewer Replacement and Installation of New Manholes at Kent Street and Tyler Street, as requested by the Utilities and Engineering Department. Award to Lake Murray Utilities Company, Inc., the lowest responsive bidder in the amount of \$384,078.00. This firm is located in Chapin, SC. *Funding Source: Sanitary Sewer Improvement Fund, 5529999-658650-SS734101 – Note: This is a Clean Water 2020 Program Project and the budgeted amount is \$384,078.00. - Approved*

4. Council is asked to approve [Project SD387003](#); An Agreement for conducting a watershed assessment and developing a comprehensive watershed management plan for Smith Branch Watershed, as requested by the Utilities and Engineering Department. Award to McCormick Taylor in the amount of \$313,509.22. This firm has headquarters in Philadelphia, PA and a local office in Columbia, SC. *Funding Source: Storm Drain Capital Budget, 5549999-SD387003-658650 – Note: This is a Clean Water 2020 Program Project and the original budgeted amount for this project is \$300,000.00; additional fund of \$13,509.22 will come from SD387004 EPA Mandated Environmental Project. The following sub-consultants will receive \$80,000.00 or 25.51% of the contract value: - Approved*

Sub-consultants	Locations	Services	Contract %	Amount
KCI Technologies	Columbia, SC	Hydrology and Hydraulics Analysis water quality data collection & analysis	17.54%	\$55,000.00
Robinson Design Engineers	Charleston, SC	Hydrology and Hydraulics Analysis and Geomorphic Assessment	7.97%	\$25,000.00

5. Council is asked to approve [Project SS691115](#); Sanitary Sewer Annual Root Control Maintenance for Fiscal Year 2015/2016, as requested by the Utilities and Engineering Department. Award to Duke's Root Control in the amount of \$450,000.00. This firm is located in Syracuse, NY. *Funding Source: Wastewater Operating Budget, 5516205-638305 – Note: This is a Clean Water 2020 Program Project and the original budgeted amount for this project is \$500,000.00. - Approved*
6. Council is asked to approve [Project SS6966\(16\)](#); Annual Contract of Sanitary Sewer Rehabilitation, as requested by the Utilities and Engineering Department. Award to Inland Pipe Rehabilitation, the lowest responsive bidder in the amount of \$3,659,971.80. This firm is located in Stone Mountain, GA. *Funding and Supplement Source: Sanitary Sewer Improvement Fund, 5529999-658650 – Note: This is a Mentor Protégé Program Project. Holzheimer Construction of Gilbert, SC is the Protégé and will implement \$1,100,000.00 (30%) of the contract value. This is a Clean Water 2020 Program Project and the original budgeted amount is \$3,680,189.00. The following sub-consultants will receive \$1,450,000 or 39% of the contract value: - Approved*

Sub-consultants	Locations	Services	Contract %	Amount
BLD	Kennar, LA	Lateral Rehabilitation	33%	\$1,200,000.00
Jaamco Drain & Cleaning (SBE)	Indian Trail, NC	Cleaning & CCTV	3%	\$125,000.00
P&S Construction (SBE)	Lexington, SC	Cleaning & CCTV	3%	\$125,000.00

7. Council is asked to approve a [Contract Renewal for the Health Benefits Plan effective January 1, 2016 through December 31, 2016](#), as requested by the Human Resources Department. Award to Blue Cross Blue Shield of South Carolina (BCBS) as the third party administrator in the amount of \$2,611,182.00. This firm is located in Columbia, SC. *Funding Source: GL 6048933 - Approved*

ORDINANCES – SECOND READING

8. [Ordinance No.: 2015-073](#) – Granting an encroachment to Rick Patel (Sheraton Downtown Columbia) at 1400 Main Street, Richland County TMS #09014-08-15, for installation and maintenance of sixteen (16) planters, and installation and maintenance of ten (10) tables and twenty-eight (28) chairs within the tree zone and sidewalk right of way area of the 1400 block of Main Street and 1200 block of Washington Street adjacent to 1400 Main Street for use by its patrons for outdoor dining during normal business hours of 5:00 a.m. until 11:00p.m. Monday- Friday and 7:00 a.m. until 11:00 p.m. on Saturday and Sunday – *First reading approval was given on December1, 2015. – Approved on second reading.*
9. [Ordinance No.: 2015-089](#) – Authorizing the City Manager to execute a Lease between the City of Columbia and The Free Medical Clinic for Parcel D, Portion of Richland County TMS #11408-12-01A at 1875 Harden Street – *First reading approval was given on December 1, 2015. – Approved on second reading.*
10. [Ordinance No.: 2015-096](#) – Granting an encroachment to Persona Wood Fired Pizzeria at 1202 Main Street, Richland County TMS #09013-08-14, for installation and maintenance of six (6) tables and twenty-four (24) chairs within the tree zone and sidewalk right of way area of the 1200 block of Main Street adjacent to 1202 Main Street for use by its patrons for outdoor dining during normal business hours of 11:00 a.m. and 9:00p.m. Sunday- Thursday and 11:00 a.m. until 11:00 p.m. on Friday and Saturday – *First reading approval was given on December 1, 2015. – Approved on second reading.*
11. [Ordinance No.: 2015-097](#) – Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (Seibels Insurance Technology and Services, Richland County TMS #1501 Lady Street, Richland County TMS #11402-12-14) – *First reading approval was given on December 1, 2015. – Approved on second reading.*

ANNEXATION, COMPREHENSIVE PLAN MAP AMENDMENT & ZONING MAP AMENDMENT – SECOND READING

12. [1750 Andrews Road](#), TMS#13701-01-17; request recommendation concerning application to annex, assign land use classification Urban Core Residential Small Lot - 1 (UCR-1) and zone the property RG-1 (General Residential District -1). The property is currently classified as Mixed Residential (High Density) and zoned RM-MD (Mixed Residential-Medium Density) in Richland County. – *First reading approval was given on December 1, 2015. – Approved on second reading.*

Council District:	3
Proposal:	Annex, assign land use classification UCR and zone the property RG-1
Applicant:	Pro Tow Of Columbia, Inc.
PC Recommendation:	Approve (7-0); 11/02/15
Staff Recommendation:	Annex, assign UCR-1 Land Use Classification and RG-1 Zoning

[Ordinance No.: 2015-108](#) – Annexing and Incorporating 1750 Andrews Road, Richland County TMS #13701-01-17 into the Plan Columbia Land Use Plan Putting the Pieces Together adopted by Ordinance No.: 2015-014 on February 17, 2015 – *First reading approval was given on December 1, 2015. – Approved on second reading.*

13. [**3807 Capers Road**](#), TMS#13805-07-17; request recommendation concerning application to annex, assign land use classification UCR-1 (Urban Core Residential – Small Lot), and zone the property RS-3 (Single Family Residential). The property is currently classified as Mixed Residential and zoned RS-HD (Residential, Single-Family, High Density) in Richland County. – *First reading approval was given on December 1, 2015. – Approved on second reading.*

Council District:	3
Proposal:	Annex, assign UCR-1 Land Use Classification, and RS-3 Zoning
Applicant:	Sarah J. Gareau
PC Recommendation:	Approve (7-0); 11/02/15
Staff Recommendation:	Annex, assign UCR-1 Land Use Classification and RS-3 Zoning

[Ordinance No.: 2015-107](#) – Annexing and Incorporating 3807 Capers Avenue, Richland County TMS #13805-07-17, into the Plan Columbia Land Use Plan Putting the Pieces Together adopted by Ordinance No. : 2015-014 on February 17, 2015 – *First reading approval was given on December 1, 2015. – Approved on second reading.*

14. [**7316, 7320, 7324, and 7340 Garners Ferry Road**](#), TMS#16409-01-01; request recommendation concerning application to annex, assign land use classification AC-2 (Community Action Corridor) and zone the property C-3 (General Commercial District). The property is currently classified as Neighborhood (Medium Density) and zoned GC (General Commercial) in Richland County. – *First reading approval was given on December 1, 2015. – Approved on second reading.*

Council District:	3
Proposal:	Annex, assign AC-2 Land Use Classification, and C-3 Zoning
Applicant:	Associate Management, Inc.
PC Recommendation:	Approve (7-0); 11/02/15
Staff Recommendation:	Annex, assign AC-2 Land Use Classification and C-3 Zoning

[Ordinance No.: 2015-106](#) – Annexing and Incorporating 7316, 7320, 7324 and 7340 Garners Ferry Road, Richland County TMS #16409-01-01, into the Plan Columbia Land Use Plan Putting the Pieces Together adopted by Ordinance No.: 2015-014 on February 17, 2015 – *First reading approval was given on December 1, 2015. – Approved on second reading.*

15. [NE/S Spears Creek Church Road](#), TMS#28800-01-10 (p); request recommendation concerning application to annex, assign land use classification UEMF (Urban Edge Multi-Family), and zone the property PUD-R (Planned Unit Development-Residential). The property is currently classified as Neighborhood and zoned PDD (Planned Development District) in Richland County. – *First reading approval was given on December 1, 2015.* – *Approved on second reading.*
- Council District: 4
- Proposal: Annex, assign land use classification UEMF, and zone the property PUD-R
- Applicant: Woodcreek Development, LLC
- PC Recommendation: Approve (5-0); 09/14/15
- Staff Recommendation: Annex, assign UEMF Land Use Classification and PUD-R Zoning

[Ordinance No.: 2015-086](#) – Annexing and Incorporating 5.13 acres NE/S Spears Creek Church Road and W/S Woodcreek Farms Road, Richland County TMS #28800-01-10 (portion) into the Plan Columbia Land Use Plan Putting the Pieces Together adopted by Ordinance No.: 2015-014 on February 17, 2015 – *First reading approval was given on December 1, 2015.* – *Approved on second reading.*

ZONING MAP AMENDMENT – SECOND READING

16. [1511 Williams Street, 600 Canalside Street, N/S Canalside Street \(multiple parcels\), 610 Depot Street, 1625 Williams Street, 463 MacDougall Street, 485 MacDougall Street, N/S Irwin Park Circle, E/S Irwin Park Circle, 361 Taylor Street, 638 Taylor Street, 535 Depot Street, 645 Canalside Street](#), TMS#09005-03-01, -02, -03 to -06, -15, -18, -07, -08, -09, -10, -11, -12, -13, -14, -16, -17; request major amendment to (Canalside) a PUD-C/DD Planned Unit Development-Commercial/Design Development Overlay District). **1511 Huger Street, 419 Hampton Street, 4 Science Alley, 21 Science Alley, 9 Science Alley, 1504 Williams Street, 401 Hampton Street, 1510 Williams Street, 1512 Williams Street, and 1516 Williams Street, S/S Huger Street**, TMS# 09009-14-11, -14, -15, -22, -23, -24, -25, -26, -27, -28, -31; request recommendation to rezone from C-1/DD (Office and Institutional District/Design Development Overlay District) to PUD-C/DD (Planned Unit Development-Commercial/Design Development Overlay District). – *First reading approval was given on December 1, 2015.* – *Approved on second reading.*
- Council District: 2
- Proposal: Rezone parcel from C-1/DD to PUD/DD
- Applicant: Ryan Hyler, Land Holdings Two, LLC
- PC Recommendation: Cancelled due to Weather 10/05/15 / rescheduled to 11/02/2015
- PC Recommendation: Approve (7-0); 11/02/15
- Staff Recommendation: Approve

17. [3513 North Beltline Boulevard](#), TMS#11613-06-07; request recommendation to rezone from RS-2 (Single Family Residential District) to C-1 (Office and Institutional District).
– *First reading approval was given on December 1, 2015 by a vote for four (4) to one (1).*
– *Approved on second reading by a vote of five (5) to one (1).*
Council District: 2
Proposal: Rezone parcel from RS-2 to C-1
Applicant: Oscar Mitchell
PC Recommendation: Deny (5-0), 09/14/15
Staff Recommendation: Deny

Councilor Plough said she is voting against this item again due to the recommendations from the Planning Commission and staff to deny approval.

Ms. Krista Hampton, Director of Planning and Development Services said they haven't received any opposition from the community.

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted five (5) to one (1) to give second reading approval to the *Zoning Map Amendment* for **3513 North Beltline Boulevard**, TMS#11613-06-07; request recommendation to rezone from RS-2 (Single Family Residential District) to C-1 (Office and Institutional District). Voting aye were Mr. Baddourah, Mr. Newman, Ms. Devine, Mr. Davis and Mayor Benjamin. Ms. Plough voted nay.

TEXT AMENDMENT – SECOND READING

18. [Recommendation to City Council to Amend §17-404 \(e\) \(4\) \(Prohibited Signs\)](#) to define how the spacing requirement is measured for the conversion of an outdoor advertising sign to changeable copy adjacent to an interstate highway. – *Approved on second reading.*
Proposal: Chapter 17, Article III, Division 12, Amend §17-404 (e)(4) to define how the residential spacing requirement is measured for the conversion of an outdoor advertising sign to changeable copy adjacent to an interstate highway.
Applicant: The Honorable Mayor Stephen K. Benjamin
PC Recommendation: Approve (6-0), 11/02/15
Staff Recommendation: Approve

[Ordinance No.: 2015-102](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 12, Signs, Sec. 17-404 Prohibited signs (e)(4) – *First reading approval was given on December 1, 2015.* – *Approved on second reading.*

PRESENTATIONS

19. [Introduction of the December 2015 Employee of the Month](#) – Mr. Joey Jaco, Director of Utilities and Engineering

Mr. Robert Judy, Wastewater Maintenance Superintendent introduced Mr. Korie Corbett, Foreman for the Wastewater Maintenance Division as the December 2015 Employee of the Month. He described Mr. Corbett as a six year employee who has worked hard to climb the ranks from a laborer to a foreman. He is a mentor for others and a great example of leadership. He also received the Foreman of the Year Award for the Wastewater Maintenance Division.

Mayor Benjamin and City Manager Teresa Wilson presented Mr. Korie Corbett, Foreman for the Wastewater Maintenance Division with a plaque and a token of appreciation for being selected as the December 2015 Employee of the Month.

20. [Palmetto Clean Energy Program](#) – Mr. Robert Long, Chair of the PaCE Board of Directors / General Manager of Resource Planning for SCANA Services, Inc.

Ms. Mary Pat Baldauf, Sustainability Facilitator announced that the Climate Protection Action Committee made a decision last year to purchase green power for the City Council Meetings.

Mr. Robert Long, Chair of the Palmetto Clean Energy (PaCE) Board of Directors / General Manager of Resource Planning for SCANA Services, Inc. recognized the City of Columbia for electing to conduct business with green electric renewable energy. He recognized CPAC for their recommendation. He explained that PaCE is a non-profit third party administrator formed in 2008 to recognize customers for making contributions to develop renewable energy in South Carolina. PaCE offers solar grants to generators, educational institutions and multi-family supportive housing. Keenan High School was one of three South Carolina educational institutions to be awarded a solar grant that covered 50% of the costs to install solar technologies.

21. [Remembering Columbia](#) – Mr. John Sherer, Director of Cultural Resources for the Historic Columbia Foundation

Dr. John Dozier, Vice President of the Board of Trustees for the Historic Columbia Foundation said thanks to an infusion of regional marketing made possible by City funding, the Jubilee Festival realized an improvement in attendance and the Jewish Heritage initiative had great participation as well. He reported that capital improvements have been made to the Mann-Simons Cottage and they are coming to a better understanding of how people want to access this rich and complex family history. In closing, he noted that there are a number of programmatic offerings at Historic Columbia this week.

Mr. John Sherer, Director of Cultural Resources for the Historic Columbia Foundation presented *Remembering Columbia*. He described it as a journey into our capital city's past and a look forward into our future. He said he would like for *Remembering Columbia* to become a well-worn reference book with a great deal of notes in the margins; he would like for people to use the book as a tool of discovery and as a springboard for conversations. He said it was a great joy to work on this project and it has developed him as an individual, as a public historian and as a citizen of Columbia and Richland County. *Remembering Columbia* can be purchased at the Historic Columbia Gift Shop, MAST General Store or [online](#).

CONSIDERATION OF BIDS and AGREEMENTS

22. Council is asked to approve the [Purchase of the Playground Design, Equipment and Installation at Roy Lynch Park](#), as requested by Parks and Recreation Department. Award to Carolina Parks and Play, LLC in the amount of \$74,911.42. This vendor is located in Cary, NC. *Funding Source: General Capital Projects-Rec/Physical Fitness Equipment, 4039999-658900 and Roy Lynch Park-Rec/Physical Fitness Equipment – Note: The original budgeted amount for this purchase is \$75,000.00. - Approved*

Upon a motion made by Ms. Devine and seconded by Mayor Benjamin, Council voted unanimously to approve the Purchase of the Playground Design, Equipment and Installation at Roy Lynch Park, as requested by Parks and Recreation Department. Award to Carolina Parks and Play, LLC in the amount of \$74,911.42. This vendor is located in Cary, NC.

Mr. Randy Davis, Interim Director of the Parks and Recreation Department explained that the City allocated \$125,000 and the Junior League of Columbia has raised \$50,000. Phase two of the project is estimated to cost \$59,875 for a total amount of \$299,768. The maintenance associated with the proposed park is \$15,754 and the current maintenance cost is \$15,356.

Ms. Teresa Wilson, City Manager noted that \$125,000 was allocated from contingency funds and fund balance.

23. Council is asked to approve [Funding for additional Service Requests and Reimbursable Expenses related to the Multi-Use Venue Agreement](#) between the Owner and Architect for Design and Engineering Services, as requested by the Special Projects Administrator. Award to Populous, Inc., in the amount of \$82,375.00 for additional services. The \$170,000.00 for reimbursable expenses will be managed by the Special Projects Administrator. *Funding Source: Hospitality Bond Funding and Venue Development Agreement – Note: The requested amounts are in line with the corresponding portion of the budget and result in an overall savings to the project budget. – Approved by a vote of four (4) to two (2).*

Mr. Gregory Tucker, Special Projects Administrator explained that we incurred additional costs for redesign services and implementation; we paid more on the design, but we saved more on the construction; this \$82,375.00 saved us over \$3 million, which brought the project within budget. He further explained that \$170,000.00 for reimbursable expenses was budgeted, but it wasn't included in the contract with Populous.

Councilor Plough said we have obligated and encumbered more money than we have, to the tune of \$1.8 million. She said the expectation is that the money will come from Jason Freier. We don't have that money and yet we have signed construction contracts.

Councilor Baddourah asked about the status of the lighting and noise studies.

Mr. Gregory Tucker, Special Projects Administrator said the studies have been completed and will be presented in January 2016.

Councilor Devine said we thought we would get more neighborhood involvement if we schedule the presentations after the beginning of the year.

Councilor Davis said we need to dialog and share the information with the neighborhoods contiguous to the stadium.

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted four (4) to two (2) to approve Funding for additional Service Requests and Reimbursable Expenses related to the Multi-Use Venue Agreement between the Owner and Architect for Design and Engineering Services, as requested by the Special Projects Administrator. Award to Populous, Inc., in the amount of \$82,375.00 for additional services. The \$170,000.00 for reimbursable expenses will be managed by the Special Projects Administrator. Voting aye were Mr. Newman, Ms. Devine, Mr. Davis and Mayor Benjamin. Voting nay were Mr. Baddourah and Ms. Plough.

24. Council is asked to approve a [Professional Services Agreement for Project DR4241; Flood Recovery Management Services](#), as requested by the Budget and Program Management Office. Award to Landmark Consulting, LLC in an amount not to exceed \$2,880,000.00. This firm is located in New Orleans, LA. *Funding Source: Funds to cover the cost of this project will be based on services performed and how those services are allocated to the various City funds. For the General fund, we will utilize the unassigned fund balance to cover the costs. For the Water/Sewer Fund and the Storm Water Fund, we will use cash reserves as necessary to cover the costs associated with the contract. It is anticipated that the City will receive reimbursement for 75% of the expenses associated with this contract. When those funds are received, they will be used to help replenish the unassigned fund balance and cash reserves as appropriate. The City plans to solicit funding from local, State and other sources for the remaining 25% required. Note: The contract amount includes a 20% contingency. The following sub-consultants will be utilized: - Approved*

Ms. Teresa Wilson, City Manager explained that a Request for Proposals was issued for these services, because we anticipated needing experts working with us on a daily basis for up to three (3) years. She said an audit is required at the end. She noted that the RFP was very thorough in asking for expertise in engineering, project management, and compliance to ensure that our projects and services for work are reimbursable at 75%. We also want to request that the canal mitigation be reimbursed at 100%.

Ms. Missy Caughman, Budget and Program Management Director reported that nine (9) responses were received and two (2) were deemed unresponsive.

Councilor Plough asked if we are setting aside funding for the \$2.88 million or are we setting aside 25% of that.

Ms. Teresa Wilson, City Manager reported that we have already received \$4.3 million in reimbursement funding and we are going to set aside a flood recovery fund for projects.

Councilor Baddourah asked if this firm has looked at the economic impact that we lost during the flood. He said all businesses were impacted and he is not aware of funding to help them.

Ms. Teresa Wilson, City Manager stated that advocacy is critical. Congress is taking up the possibility of additional assistance to South Carolina in their Appropriations Bill. She said we have to focus on damages to infrastructure, small businesses and those who are suffering from an affordable housing standpoint. We have to be careful about what we are administering to include the damages to roads, bridges and the canal.

Mayor Benjamin said some of those numbers have been expressed in the aggregate, but it would be great to have location specific information. He agreed that there is urgency in the timing of our advocacy.

Councilor Plough expressed concerns about New Orleans recently receiving their second significant allocation from FEMA in the amount of \$1 billion, which was ten (10) years later.

Ms. Keely Thibodeaux, AIA, PMP, Principal for Landmark Consulting, LLC said she doesn't know the specifics of the City of New Orleans' award, but they were originally offered a settlement by FEMA and the City chose not to accept. The City contracted with a consultant to do an extensive assessment and to negotiate a new term for them; there was an appeals process and an arbitration process. The City had to risk some costs in order to gain that particular award.

Mayor Benjamin clarified that we have been engaging with small businesses. He said the disaster relief Community Development Block Grant (CDBG) funds can also be used to benefit small businesses. He asked that his colleagues all be on one accord in making this push in Congress for funding.

Councilor Plough inquired about the normal expectation for reimbursement.

Ms. Keely Thibodeaux, AIA, PMP, Principal for Landmark Consulting, LLC explained that once FEMA has obligated those funds, that money is administered and disbursed by the State. The State's process for review and approval is unknown at this point, but it's typically a 30-day process.

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to approve a Professional Services Agreement for Project DR4241; Flood Recovery Management Services, as requested by the Budget and Program Management Office. Award to Landmark Consulting, LLC in an amount not to exceed \$2,880,000.00. This firm is located in New Orleans, LA.

STAFF REPORT

25. Maintenance Assistance Program – Ms. Deborah Livingston, Community Development Director

Ms. Deborah Livingston, Community Development Director explained that in April 2015 with the permission of the Housing Loan Committee, the Community Development Department unveiled the Maintenance Assistance Program. She noted that they are no longer accepting applications, because funding has been depleted. She said the program was for homeowners that were 80% below the area median income within the targeted neighborhoods. The maximum amount per home was \$20,000.00. She reported that seventy-two (72) applications were received and thirty-two (32) people are taking advantage of the program. She reported that \$660,000 was allocated for repairs. This is a forgivable loan without a mortgage or a note; a percentage was forgiven each year for either five (5) or ten (10) years depending on the loan amount. The loan has a restrictive covenant. She explained that if the person passes away, the personal representative is asked to contact the City of Columbia within sixty (60) days. It is permissible for the family to allow someone who is at or below 80% of the area median income to occupy the home. She further explained that if someone above 80% of the area median income occupies the home with four (4) years left on a five (5) year loan, only 20% of the loan would be owed.

Ms. Regina Williams, Booker Washington Heights resident said she went through the process with her mother and they were told that in the event of death a lien would be on the house and the house could not be passed on until it is satisfied. She said they weren't given the details of the program.

ORDINANCE – SECOND READING

26. [Ordinance No.: 2015-095](#) (*Revised*) – Enacting Temporary Waiver of Five-Year Cumulative Period for Purposes of Determining Whether Substantial Improvements Have Been Made to a Structure for Flood Hazard Mitigation Purposes; Providing for Severability; Providing an Expiration Date; and Setting forth an Effective Date – *First reading approval was given on November 2, 2015. – Approved on second reading.*

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations recommended approval of the ordinance. She stated that no one will be negatively impacted by this ordinance. She said it will not do away with properties being available for ICC funding, because that funding doesn't take the five-year look back into account.

Upon a motion made by Mayor Benjamin and seconded by Ms. Plough, Council voted unanimously to give second reading approval to Ordinance No.: 2015-095 – Enacting Temporary Waiver of Five-Year Cumulative Period for Purposes of Determining Whether Substantial Improvements Have Been Made to a Structure for Flood Hazard Mitigation Purposes; Providing for Severability; Providing an Expiration Date; and Setting forth an Effective Date.

PUBLIC HEARING

ORDINANCES – FIRST READING

27. [Ordinance No.: 2015-100](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 10, Law Enforcement, Article I, In General (*False Security Alarms*) – *Approved on first reading with the understanding that Attorney Hemlepp and Mr. Weaver will meet and the ordinance will be amended prior to second reading.*

Mr. Mike Hemlepp, Jr., Esquire, Senior Assistant City Attorney / Police Advisor explained that minor corrections were made to the ordinance today. He said they clarified that two (2) false security alarms will result in a written warning; the third false security alarm results in a \$25.00 fee; the fourth and fifth false security alarms result in a \$100.00 fee; and the police department will respond to any 911 call, but would not respond to a defective security alarm that is causing false alarms. He said this ordinance is a combination of our current false fire alarm ordinance and Richland County's false security alarm ordinance.

Councilor Devine asked Mr. Hemlepp if he wanted to incorporate any of the language from Mr. Weaver's proposed ordinance.

Mr. Mike Hemlepp, Jr., Esquire, Senior Assistant City Attorney / Police Advisor said the ordinance being proposed by the association requires you to create an alarm permitting process.

Councilor Baddourah asked what assurance the City has that citations will be paid.

Mr. Mike Hemlepp, Jr., Esquire, Senior Assistant City Attorney / Police Advisor said the fine can be collected in various ways; the intent was not to collect money, but to abate the problem. He said one provision is that if you accrue fines because your alarm is broken and it is fixed, the fines are wiped out. He said false alarms are also declared a nuisance and it will be easy to collect the fine if there is an ongoing problem.

Council opened the Public Hearing at 7:40 p.m.

Mr. Eddie Weaver, President of Weaver Systems, Inc. said he has concerns with the exclusion of an appeals process and the definition of a false alarm.

Councilor Devine noted that there is an appeals process in the ordinance.

Mr. Eddie Weaver, President of Weaver Systems, Inc. said the South Carolina Police Chiefs Association is propagating a new law to require second call verification on every alarm.

Mayor Benjamin suggested that Mr. Hemlepp and Mr. Weaver work together to review and amend the ordinance prior to second reading.

Mr. William “Skip” Holbrook, Police Chief said the 14,000⁺ false responses were verified by law enforcement.

Council closed the Public Hearing at 7:47 p.m.

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2015-100 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 10, Law Enforcement, Article I, In General, with the understanding that Attorney Hemlepp and Mr. Weaver will meet and the ordinance will be amended prior to second reading.

28. [Ordinance No.: 2015-101](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 8, Environmental Health and Sanitation, Article I, In General and Article II, Nuisances – *Approved on first reading.*

Mr. Mike Hemlepp, Jr., Esquire, Senior Assistant City Attorney / Police Advisor explained that the ordinance was revised today to clarify that the Chief of Police has oversight and that delinquent arrearages applies to anyone that owes the city money, not just businesses.

Councilor Plough asked about Section 8-35 modification for misdemeanor.

Mr. Mike Hemlepp, Jr., Esquire, Senior Assistant City Attorney / Police Advisor said we have adopted the statutory limit for Municipal Court.

Council opened the Public Hearing at 7:53 p.m.

Ms. Jennifer Gardner asked for clarification on reasonable interference of the rights of the public in general. She asked what “annoys” refers to. She assumes that an emergency isn’t an annoyance and she doesn’t want inspectors coming on her property because someone is annoyed.

Council closed the Public Hearing at 7:56 p.m.

Mr. Mike Hemlepp, Jr., Esquire, Senior Assistant City Attorney / Police Advisor said the public nuisance definition being referred to is the old definition; it is a catchall provision. He said we’d have to prove to the court that our actions are justified. He said a lot of this is copied from the existing ordinance and he would be happy to replace the word annoyed. He said an emergency situation would be where someone could be hurt.

Upon a motion made by Mr. Davis and seconded by Ms. Plough, Council voted unanimously to give first reading approval to Ordinance No.: 2015-101 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 8, Environmental Health and Sanitation, Article I, In General and Article II, Nuisances.

RESOLUTIONS

29. [Resolution No.: R-2015-069](#) – Authorizing the City Manager to execute a memorandum of Agreement between the City of Columbia and Junior League of Columbia, Inc. for the renovation of Roy Lynch Park - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2015-069 – Authorizing the City Manager to execute a memorandum of Agreement between the City of Columbia and Junior League of Columbia, Inc. for the renovation of Roy Lynch Park.

ORDINANCES – FIRST READING

30. [Ordinance No.: 2015-109](#) – Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (CD/Park 7 Columbia SC High Rise Owner LLC, Parcel 4, Richland County TMS #08916-09-07, Assembly Street) – *Approved on first reading.*

Councilor Plough sought clarification on the height of the project.

Mr. Ryan Coleman, Director of Economic Development clarified that a parcel will be added to the development for the purpose of reducing the height.

Upon a motion made by Mayor Benjamin and seconded by Ms. Plough, Council voted unanimously to give first reading approval to Ordinance No.: 2015-109 – Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (CD/Park 7 Columbia SC High Rise Owner LLC, Parcel 4, Richland County TMS #08916-09-07, Assembly Street), subject to adding the following clause:

WHEREAS, ***in order to reduce the height of the Project the*** Developer has now identified additional property to be included as part of the Property and the Project, which property is located in the City and is identified, and more particularly described, as Parcel 4 (1001 Assembly Street, TMS # 08916-09-07) on Exhibit A (“Additional Development Property”); and

31. [Ordinance No.: 2015-110](#) – Granting an encroachment to Hampton-Taylor-Gregg, LLC for installation and maintenance of a sidewalk/ramp and hand railing within the right of way area of the 1900 block of Hampton Street adjacent to 1919 Hampton Street, Richland County TMS #11407-11-11 (portion) – *Approved on first reading.*

Upon a motion made by Mayor Benjamin and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval to Ordinance No.: 2015-110 – Granting an encroachment to Hampton-Taylor-Gregg, LLC for installation and maintenance of a sidewalk/ramp and hand railing within the right of way area of the 1900 block of Hampton Street adjacent to 1919 Hampton Street, Richland County TMS #11407-11-11 (portion).

RESOLUTIONS

32. [Resolution No.: R-2015-108](#) (*updated*) – Authorizing the City Manager to accept a Quit-Claim Deed from Bull Street Development LLC for property known as the Plaza Parcel, approximately 0.68 acre portion of Richland County TMS #11501-01-09 and Parcel 5, approximately 0.07 acre portion of Richland County TMS#11501-01-09 as depicted on the attached "Bull Street Subdivision First Base Building Plat" and authorize the City Manager to execute any documents necessary to complete the purchase of these properties - *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. Newman, Council voted five (5) to one (1) to approve Resolution No.: R-2015-108 – Authorizing the City Manager to accept a Quit-Claim Deed from Bull Street Development LLC for property known as the Plaza Parcel, approximately 0.68 acre portion of Richland County TMS #11501-01-09 and Parcel 5, approximately 0.07 acre portion of Richland County TMS#11501-01-09 as depicted on the attached "Bull Street Subdivision First Base Building Plat" and authorize the City Manager to execute any documents necessary to complete the purchase of these properties. Voting aye were Mr. Newman, Ms. Plough Ms. Devine, Mr. Davis and Mayor Benjamin. Voting nay was Mr. Baddourah.

33. [Resolution No.: R-2015-109](#) – Amending Resolution Nos.: R-2005-028 and R-2013-032 Establishing a policy for term limits for members of city boards, commissions, committees and development corporations – *Consideration of this item was deferred.*

STAFF REPORT

34. **Underwriters – Mr. Jeff Palen, Assistant City Manager for Finance and Economic Services / Chief Financial Officer

Mr. Brent Robertson, Financial Advisor sought guidance on the selection of the City's underwriters for the issuance of bonds.

Councilor Plough requested a list of underwriters that were previously utilized.

Mayor Benjamin said it is important for us to give you all broad strokes and let you hire the underwriters while looking at costs, consistency in prior performance, minority business participation and to give the opportunity for other bankers to participate.

Mr. Brent Robertson, Financial Advisor suggested that the underwriters have a presence in South Carolina, experience in the southeast and a true public finance practice. He noted that the focus will be on the next upcoming water and sewer offering.

Councilor Plough asked for a listing of expected bond issuances.

UPDATE ON THE CITY'S RESPONSE TO THE OCTOBER 2015 HISTORIC FLOOD EVENT - Ms. Teresa Wilson, City Manager – *No update was provided at this time.*

CITY COUNCIL COMMITTEE REPORTS/REFERRALS

No committee reports or referrals were made at this time.

APPEARANCE OF THE PUBLIC

No one appeared at this time.

EXECUTIVE SESSION

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to enter into Executive Session at 8:15 p.m. for the discussion of **Items 35** through **37**.

- 35. Discussion of negotiations incident to proposed contractual arrangements
 - *Palmetto Utilities*
- 36. Receipt of legal advice which relates to a matter covered by attorney-client privilege
 - *Lady Street Parking Garage*
 - *Special Source Revenue Credits*
- 37. Appointment of a person to a public body
 - *Municipal Court Judge*

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to adjourn the meeting at 8:59 p.m.

Respectfully submitted by:

Erika D. Moore
City Clerk